

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JULIETTE PIERRE,

Plaintiff,

-against-

MOORE CAPITAL MANAGEMENT, LLC, ANTHONY GALLAGHER, in his official and individual capacities, JOHN POTTER, in his official and individual, LYNNE GABRIEL in her official and individual capacities, EMPLOYEES JOHN and JANE DOES 1-3, in their official and individual capacities,

Defendants.
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STATE OF NEW YORK, COUNTY OF NASSAU: ss

LOUGLISTE S. JOSEPH, a licensed Process Server, # 1246704, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the County of Queens, State of New York.

That on Thursday, August 28, 2008, at or about 2:12 p.m., at 1251 Avenue of the Americas, New York, New York 10020, deponent served the within Summons and Complaint on Anthony Gallagher, John Potter, Lynne Gabriel and Employees John and Jane Does 1-3, Recipients therein named.

After your deponent was unable with due diligence to serve the recipients in person, service was made by delivering a true copy thereof to and leaving with Christina Clementi, Defendants' Business Legal Representative, a person of suitable age and discretion of Moore Capital Management, LLC, located at 1251 Avenue of the Americas, New York, New York 10020. Said address being the recipients usual place of business within the State of New York. Ms. Christina Clementi actively prevented me from going to Moore Capital Management, LLC Office, in the 53rd Floor, at the above stated address. She met with me at the lobby, near the Security Desk. There, she informed me that she is an employee at their Legal Office and that I was not allowed to go to the 53rd Floor, and stated that she will accept service for the defendants.

Furthermore, later this same day, deponent mailed (first class postage prepaid) additional true copy to the within named Anthony Gallagher, John Potter, Lynne Gabriel and Employees John and Jane Does 1-3, c/o Moore Capital Management, LLC, located at 1251 Avenue of the Americas, New York, New York 10020. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "Personal & Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney.

Deponent describes the individual served to the best of deponent ability at the time and circumstances of service is as follows:

Approx Age: 25-30 years Approx Weight: 140-150 lbs. Approx Height: 5'04"
Sex: Female Color of Skin: White Color of Hair: Shoulder Length Brunette

Deponent spoke to Christina Clementi, Defendants' Business Legal Representative same as above, inquired as to the defendants place of abode and received a negative reply and confirmed the above address of defendants and asked whether defendants were in active military service of the United States or the State of New York in any capacity whatsoever or are dependents of anyone in the military and received a negative reply. Defendants wore an ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief, I aver that defendants are not in the military service of New York State or of the United States as that term is defined in either the State or in Federal Statutes.

Dated: August 29, 2008
Hempstead, New York

Subscribed and sworn to before me this
29th day of August 2008


NOTARY PUBLIC, STATE OF NEW YORK


LOUGLISTE S. JOSEPH

VICTORIA ROBERTS
NOTARY PUBLIC, State of New York
NO. 01RO6177987
Qualified in Nassau County
My Commission Expires November 19, 2011

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JULIETTE PIERRE,

Plaintiff,

-against-

Docket No: 08-CV-4209
Judge Cote

AFFIDAVIT OF SERVICE
UPON A CORPORATION

MOORE CAPITAL MANAGEMENT, LLC, ANTHONY GALLAGHER, in his official and individual capacities, JOHN POTTER, in his official and individual, LYNNE GABRIEL in her official and individual capacities, EMPLOYEES JOHN and JANE DOES 1-3, in their official and individual capacities,

Defendants.

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LOUGLISTE S. JOSEPH, a licensed Process Server, # 1246704, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the County of Queens, State of New York.

That on Thursday, August 28, 2008, at or about 2:12 p.m., at 1251 Avenue of the Americas, New York, New York 10020, deponent served the within Summons & Complaint by personally delivering to and leaving with Christina Clementi for Moore Capital Management, LLC, a true copy thereof, and that deponent knew the person so served to be the a Legal Representative from Moore Capital Management Legal Office and stated she was/is authorized to accept legal papers on behalf of said corporation.

Furthermore, on August 29, 2008, deponent mailed (first class postage prepaid) additional true copy to the within named Moore Capital Mangement, LLC, located at 1251 Avenue of the Americas, New York, New York 10020. Said mailing was placed in an official depository under the exclusive care and custody of the United Stated Postal Service. The envelope bore the legend "Personal & Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney.

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Sex: Female Color of Skin: White Color of Hair: Shoulder Length Brunette

Dated: August 29, 2008
Hempstead, New York



LOUGLISTE S. JOSEPH

Sworn to before me this
29th day of August 2008



NOTARY PUBLIC, STATE OF NEW YORK

VICTORIA ROBERTS
NOTARY PUBLIC, State of New York
NO. 01R06177987
Qualified in Nassau County
Commission Expires November 19, 2011